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APPLICATION NO.	F	ILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO	
09/888,328 06/22/2001		06/22/2001	Timothy P. Beaton	05516.079002	7221	
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		SHA L.L.P.	EXAMINER			
1221 MCKI SUITE 2800	0			TSAY, FRANK		
HOUSTON, TX 77010				ART UNIT	PAPER NUMBER	
				3672		
				DATE MAILED: 09/15/2003	DATE MAILED: 09/15/2003	

Please find below and/or attached an Office communication concerning this application or proceeding.

Application No.   Og/888.328   BEATON ET AL.			1				
## Examiner   Frank S Tsay   3672  ## ARIUNG DATE of this communication appears on the cover sheet with the correspondence address —  **Period for Reply**  A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.  ■ Enteraction of their may be available under the provisions of 37 CR 1.13(lpt). In no event, however, may a nery be timely filled.  ■ The Deriod for rely specified above, the name of 37 CR 1.13(lpt). In no event, however, may a nery be timely filled.  ■ The Deriod for rely specified above, the name of 37 CR 1.13(lpt). In no event, however, may a nery be timely filled.  ■ The Deriod for rely specified above, the name of 37 CR 1.13(lpt). In no event, however, may a nery be timely filled.  ■ The Deriod for rely specified above, the name of 37 CR 1.13(lpt). In the studency minimum of thinky (20) says will be considered timely.  ■ The Deriod for rely specified above, the name time mailing date of this communication.  ■ The Deriod for rely specified above, the name time mailing date of the communication.  ■ Any perly reached by the Officia detail than three mailing date of this communication.  ■ Any perly reached by the Officia detail than three mailing date of this communication.  ■ Any perly reached by the Officia date than three mailing date of this communication.  ■ This action is FINAL.  ■ 2b) — This action is rounding of all the period of a subject of the communication is non-final.  ■ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.   Disposition of Claims  ■ 4) ○ Claim(s)1.3 is/are pending in the application.  ■ Application Papers  ■ Claim(s)1.3 is/are rejected.  ■ Claim(s)1.3 i		Application No.	Applicant(s)				
Frank S Tsay   3672	Offic Action Summany	09/888,328	BEATON ET AL.				
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.Art Unit: 3672

## R spons to Arguments

Applicant's arguments filed July 1, 2003 have been fully considered but they are not persuasive. The examiner fails to see from the limitations set forth in the respective claims address the issues of drilling stability through balancing axial force applied on the bit, with the rotary speed, since nowhere in the claims address the relationship between the axial force and the rotary speed. Instead, claim 1 calls for a method of "applying an axial force to the bit so that the bit drills in a directionally stable manner". In this regard, Doster et al. provides a bi-center bit having stability enhancing features through proper manipulation of the lateral forces vector F1 and F2, generated by the reamer bit and the pilot bit so that the resultant force bit force vector lying closer to F2 due to its dominance. The lateral forces F1 and F2, in fact must have been generated from an axial force or weight on bit (WOB), as such physical phenomena is well known in the drilling art, and it is also clearly suggested by the abstract where the lateral force is being described as "longitudinally offset", as well as Col. 4, lines 36-60, where F1 and F2 are described as resultant lateral forces. The recitations "the bit drills in a directionally stable manner" and "the wellbore is drilled along a selected trajectory" are clearly anticipated by col. 2, lines 29+, as Doster et al drill bit intends to create drilling stability so that "dogleg" borehole can be prevented and therefore, "directional stability" or "stable trajectory" of the intended borehole is maintained. For the above reasons, rejection of claims is repeated as follows:

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

Claims 1-3 are rejected under 35 U.S.C. 102(a) as being anticipated by Doster

**'223**.

Doster et al discloses a bi-center bits having stability features, with such features, directional stability can be anticipated when axial force is applied to the bit. Doster et al further suggests that the bi-center bit can be connected to an output shaft of a downhole motor (col. 5, lines 26+), the turbine-type mud motor in the claim is therefore

anticipated, as it is known in the art that a downhole motor can be either a turbine or a

positive displacement motor. The use of a bent housing motor or steerable motor is a

well known art in directional drilling hence constitute little patentable distinction.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

Application/Control Number: 09/888,328

"Ařt Unit: 3672

Page 4

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Frank S Tsay whose telephone number is (703) 308-

2170. The examiner can normally be reached on Monday thru Friday, 7:30am-5:00 pm,

2nd Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, David J Bagnell can be reached on (703)308-2151. The fax phone number

for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or

proceeding should be directed to the receptionist whose telephone number is (703)308-

2168.

September 10, 2003

Frank S Tsay

Primary Examiner

Art Unit 3672

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